

Political Broadcasting Challenge to Broadcasters

I. Broadcast television continues to be the primary source of campaign and election information for the American public.¹

- “Local broadcast coverage of elections, whether in the form of news reports or candidate debates, was viewed by 44 percent of all voters as the ‘most helpful’ in selecting a candidate.”²
- “The public continues to turn to local television news more than any other television news source.”³

II. Broadcasters must step up efforts to cover campaigns and elections as television coverage of political discourse is minimal and declining.

Local News Broadcasts

- More than half of all top-rated local news broadcasts in the seven weeks leading up to election day in 2002 did not have any campaign coverage whatsoever.⁴
- Only 28 percent of the 2002 local news broadcasts on campaigns contained candidate sound bites, which only averaged 12 seconds.⁵
- Less than 15 percent of the local campaign broadcasts covered local campaigns, including U.S. House races.⁶

Network News

- Average nightly national network TV coverage dropped 71.6% from 1994 to 2002.⁷
- Average length of presidential candidate sound bites on network evening news dropped 81% from 1968 to 2000.⁸

¹ *The Pew Research Center for the People and the Press*, “Perceptions of Partisan Bias Seen as Growing—Especially by Democrats: Cable and Internet Loom Large in Fragmented Political News Universe,” Jan. 11, 2004.

² *National Association of Broadcasters/RTNDA*, “Nationwide Poll Finds Broad Voter Approval of Broadcast Election Coverage,” (Oct. 30, 2000), available at <http://www.nab.org/Newsroom/PressRel/Releases/Wirthlin.pdf>.

³ *Project for Excellence in Journalism*, “State of the News Media 2004,” (Mar. 2004), available at <http://www.stateofthenewsmedia.org/index.asp>.

⁴ Lear Center Local News Archive (USC Annenberg School and the University of Wisconsin), “Local TV News Coverage of the 2002 General Election,” rel. Oct. 16, 2002, available at <http://www.learcenter.org/html/publications/?c=online+publications>.

⁵ Id.

⁶ Id.

⁷ The Center for Media and Public Affairs, Press Release, “Election Study Finds Absentee Media: Network Coverage of Midterm Campaign Down 72 percent from 1994,” Nov. 01, 2002, available at www.cmpa.com/pressrel/Elect2002PR.htm.

⁸ The Center for Media and Public Affairs, “Campaign 2000 Final: How TV News Covered the General Election Campaign,” Nov. /Dec. 2000, available at <http://www.cmpa.com/Mediamon/mm111200.htm>.

- Network evening news coverage of presidential campaigns dropped 33% from 1996 to 2000.⁹

III. Of the stories that did run, most were about strategy and polls as opposed to issues.

- Almost half (45%) of network election stories for the 2000 primaries favored non-substantive statistics.¹⁰
- Similarly, only 24% of the campaign stories on local news broadcasts during the 2002 general election were about issues. Thirty-eight percent (38%) of the stories focused on strategy, and 9% focused on the horserace.¹¹
- In January 2004, only 17 % of primary election stories on network news covered candidate voting records, proposals, or positions on issues. Seventy-one (71%) of the stores focused on polls and tactics.¹²

IV. With the passage of BCRA and the Supreme Court's nod to disclosure, broadcasters should strive to make more political broadcasting available to candidates and the public.

- Broadcasters must properly maintain files documenting sponsorship for political advertisements, including issue ads.
- Broadcasters should voluntarily post political public file information on their websites.
 - Internet posting of political file records would facilitate timely access during peak election activity and alleviate burdens of handling numerous telephone calls and other requests for such information.
 - Website posting would promote discourse and public comment, potentially reducing need for further disclosure regulation.
 - Easy access to true sponsorship identification via a website is especially pertinent in light of recent tactics of issue advocacy groups such as section 527 organizations.

⁹ The Center for Media and Public Affairs, Press Release, "Networks to Parties: 'Drop Dead,'" Jul. 31, 2000, available at <http://www.cmpa.com/pressrel/electpr1.htm>.

¹⁰ The Center for Media and Public Affairs, "Campaign 2000-The Primaries: TV News Coverage of the Democratic and GOP Primaries," Mar. /Apr. 2000, available at www.cmpa.com/Mediamon/mm030400.htm.

¹¹ Lear Center Local News Archive (USC Annenberg School and the University of Wisconsin), "Local TV News Coverage of the 2002 General Election," rel. Oct. 16, 2002, available at <http://www.learcenter.org/html/publications/?c=online+publications>

¹² The Center for Media and Public Affairs, "Network News Focus: Flubs, Fluff-Not Fundamental," Feb. 9, 2004, available at <http://www.cmpa.com/pressrel/EW200403.htm>.

V. Broadcasters must offer the applicable lowest unit charge to candidates during election seasons.

- Candidates are choosing a non-preemptible, more costly, class of time over the lowest unit charge to secure guaranteed advertising coverage during election periods.
 - In 2000, the Alliance for Better Campaigns’ study of ten major markets found that candidates on average paid 65 percent more than the lowest unit charge for advertising time.¹³
 - A 1990 FCC audit of 30 radio and television stations found that “stations reported to us [FCC] that candidates choose to buy higher-priced fixed time to be assured that their advertising would air exactly as ordered.”¹⁴
- Sales pitches by broadcast station sales staff push candidates to buy non-preemptible time.
 - The 1990 FCC audit also found that “at a majority of the stations, political candidates have paid higher prices than commercial advertisers because sales techniques encouraged them to buy higher-priced classes of time...Such practices frustrate the intent of Congress as reflected in the 1972 amendment of Section 315(b).”¹⁵
- Broadcasters often increase the lowest unit charge weekly during peak election season because of increased demand.¹⁶
 - A 2002 study conducted by the Center for the Study of Elections and Democracy found that candidate broadcast advertising costs increased from \$454 in June 30-July 6 to \$886 November 3-9.¹⁷

VI. In light of the declining state of political broadcasting coverage, broadcasters should act now to foster political discourse

- a. Broadcasters should increase coverage of campaign and elections, especially at the local level.
 - i. Voters rely on local broadcasts as their primary source of campaign and election information; broadcasters must serve the public with the information it needs to elect leaders for our democracy;

¹³ Gouging Democracy, a Report by the Alliance for Better Campaigns, p. 3, 2001. (See: <http://bettercampaigns.org/reports/display.php?ReportID=4>).

¹⁴ FCC, Mass Media Bureau Report on Political Programming Audit, FCC LEXIS 4700, 68 Rad. Reg. 2d 113 (1990).

¹⁵ Id.

¹⁶ FCC, 1988 Public Notice, p. 3.

¹⁷ “The Last Hurrah: Soft Money and Issue Advocacy in the 2002 Congressional Elections,” Edited by David B. Magleby and J. Quin Monson. The Center for the Study of Elections and Democracy at Brigham Young University, January 2003. Data derived directly from CSED’s dataset. (See <http://cid.byu.edu/magleby/docs/CSEDHurrah.pdf>).

- ii. Broadcasters should focus on the issues and candidates, not polls or horse races.
- b. In addition to ensuring sponsorship identification in their public files, broadcasters should post political advertisement information on their websites.
- c. Broadcasters must stop gouging candidates and offer the applicable lowest unit charge during election seasons.